

Comment OPPOSED to RM-11306
Via FCC Electronic Comment Filing System

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Introduction

Commenter became a licensed Amateur Radio Operator in 1971 and presently holds an Advanced Class license. He holds no corporate interests related to the Amateur Service, and files this Comment as an individual representing his substantiated opinion for the agency's consideration.

History

Commenter was part of a successful effort to win the FCC's rejection of *Docket 20777*, a similar proposal to abandon the longstanding system of coordination by mode and substitute an untested scheme of segregating activities on the shortwave high frequency (HF) Amateur allocations using several pre-specified bandwidths and associated segments in which any approved emission could have appeared.

Current Matters

Today's Petitioner visiting the same issue is a publishing and membership subscription group known variously as the American Radio Relay League, "the League," and the National Association for Amateur Radio. The corporation operates a licensed club station at its compound in Newington, Connecticut, call sign W1AW.

Current Matters (con't.)

To illustrate its status as a representative organization, Federal records show this group holds subscriptions from less than 25 percent of the nominal Amateur population. Fully three out of four licensed Amateurs choose not to pay dues to associate with this group.

Despite having such a slight grip on the loyalties of active, licensed Amateurs, the Petitioner further winnowed down its focus to that of a few digital buffs who were empanelled to suggest ways the group might promote digital communications activity that today does not enjoy widespread acceptance on HF.

This advisory panel was created without published selection criteria to ensure representation of a broad range of communications interests, and that these interests would be protected from conflicts that now deem this Petition unfit for acceptance in its entirety.

Key Points of Petition Failure

The FCC as recently as 1990 has stated that there are some 1300 approved emissions in the Amateur Service. We can observe by the level of present-day enforcement action that the longstanding system of coordination by mode is successful.

Key Points of Petition Failure (con't.)

The Petitioner fails to establish why nascent digital modes must have a radically different regulatory climate in order to expand and join popular mainstream modes in proposed segments defined by bandwidth. The lack of a valid premise is enough for the FCC to reject this Petition.

The group failed to provide the agency with any sort of coordination overlay as to how these modes might co-exist without increasing today's levels of interference. This omission alone is cause to postpone action on *RM-11306*.

In the nearly 30 years since *Docket 20777*, there have been changes in operating patterns that have taken place on their own within existing, mode-based coordination. There has been no change in the main reason the FCC scuttled *20777*, summarized in FCC Release No. 78-588 (excerpt):

"the comments indicated that for the sizable portion of the amateur community who do not experiment, the present emissions table is preferable. Accordingly, the Commission will not adopt the proposed maximum bandwidth table."

About 300 persons and eight clubs filed Comments in *20777*. At this writing, more than 800 Comments have been filed on *RM-11306*. To guide the FCC's decision an informal tally in today's proceeding again shows a *sizable portion* prefers the present emissions table.

Key Points of Petition Failure (con't.)

The conflicts this Petition would create are substantial. A faction that carried high influence with the panel's work is promoting the use of the Amateur service to obtain email from the internet, marketing such a conduit to yachtsmen, campers and others who wish not to hire commercial providers of this form of digital communications. The risk of introducing such traffic into the non-commercial Amateur service is, on its own, enough to reject this Petition.

Another conflict this Petition would create is the mixing of communications by machine with those copied by the human ear. One digital system, Winlink, involves automated transmissions that carry little or no inhibiting mechanism to avoid interference with incompatible modes and activities.

A significant shortfall of this Petition is that it fails to relate its stated goal of nurturing the growth of digital with the existing problem of underutilized space reserved by law for Morse Code. Instead, it would force digital activity into the more heavily loaded "voice" segments of the HF bands. This conflict would reduce the quality of operating for mainstream users without a commensurate value added by the specialty category of digital.

Key Points of Petition Failure (con't.)

Finally, this Commenter files OPPOSED to RM-11306 because of the pejorative treatment in this petition of my main mode of operating: full carrier, double-sideband, Amplitude Modulation.

The group in Newington has chronically neglected AM in its regulatory and political activity, and consciously purged or refused to include references to AM in most of its publications.

The group's leaders deny there is any deliberate effort against this specialty, but there is a list of examples unrelated to this Petition that may provide insight into why the group is attempting to isolate AM in today's proposal, and has deliberately misled those who have inquired and expressed concern.

The Newington corporation claims their proposal does not favor one mode over the expense of another, yet under their Petition the mode of AM is treated as a non-compliant exception to their bandwidth scheme. Comments filed supporting their Petition express that this exception not be included.

The AM community has a spotless record of compliance with technical specifications in today's Rules according to FCC Enforcement Counsel Riley Hollingsworth in public postings to internet discussion boards.

Key Points of Petition Failure (con't.)

The Petition's vague references to bandwidth are perhaps the biggest reason to reject this proposal.

Without specific standards to determine the bandwidth of a transmitted signal, operators would have no way to make sure they are in compliance.

Moreover, the FCC could expect such a new law to create complaints by people who believe they have observed a violation, but are not required to conduct a standard measurement.

This situation has special implications for AM, since it necessarily takes up some of the largest slices of bandwidth as a natural and permitted function of its use. Those who question that utilization of bandwidth could feel emboldened to file complaints as a way to hassle such users.

Bogus complaints resting on phantom bandwidth specifications proposed in RM-11306 may also target the spectrum-intensive activities of contesting and high-powered DXing, where excited operators can often be heard yelling into their microphones and situating themselves far too close to avoid interference with bystanders who do not participate in these events.

The enforcement nightmare RM-11306 would create is enough, on its own, to prompt the FCC to reject the idea in its entirety.

Please do so.

(signed)